

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

An evidentiary hearing on a petition for violation of supervised release in this case was scheduled before the undersigned Magistrate Judge on February 24, 2006. The United States was represented by Assistant United States Attorney Susan M. Roe, and the defendant by Ms. Suzanne Lee Elliott. The proceedings were recorded on cassette tape.

The defendant had been sentenced on or about December 8, 2000, for Conspiracy to Import and Distribute 100 or More Kilograms of Marijuana. The defendant was sentenced by the Honorable Thomas S. Zilly to thirty-six (36) months in custody, to be followed by three (3) years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed included, but were not limited to, substance-abuse and mental-health treatment participation, consent to search, cooperation with the Internal Revenue Service, and financial disclosure.

In a Petition for Warrant or Summons dated September 26, 2005, U.S. Probation Officer Steven R. Gregoryk asserted the following violation by defendant of the conditions of his

REPORT AND RECOMMENDATION OF
U.S. MAGISTRATE JUDGE AS TO ALLEGED
VIOLATIONS OF SUPERVISED RELEASE
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01 supervised release:

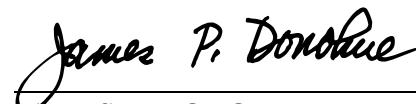
02 (1) Failing to participate in the home confinement program as directed by the
03 Probation Officer by deviating from the defendant's approved schedule continuously, beginning
04 on September 19, 2005, in violation of his home confinement conditions, and in violation of the
05 modification order dated June 2, 2005.

06 The defendant admitted to the violation.

07 I therefore recommend that the Court find the defendant to have violated the terms and
08 conditions of his supervised release as to violation number 1, and that the Court conduct a
09 hearing limited to disposition. A disposition hearing on this violation has been set before the
10 Honorable Thomas S. Zilly, on March 23, 2006, at 10:00 a.m.

11 Pending a final determination by the Court, the defendant has been detained.

12 DATED this 28th day of February, 2006.



JAMES P. DONOHUE
United States Magistrate Judge

16 cc: District Judge: Honorable Thomas S. Zilly
17 AUSA: Ms. Susan M. Roe
18 Defendant's attorney: Ms. Suzanne Elliott
19 Probation officer: Mr. Stephen Gregoryk
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